

EXHIBIT D

08/25/2004 15:27 FAX 6123499266

PATTERSON THUENTE SKAAR

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No. 1915.17US03

MORRIS

Application No.: 10/805,686

Group Art Unit: Unknown

Filed: 19 March 2004

Examiner: Unknown

For: ROOF BATTEN

Reissue of U.S. Patent No.: 6,357,193

Issued: 19 March 2002

REISSUE APPLICATION DECLARATION
BY THE INVENTOR UNDER 37 C.F.R. §§

As a below named inventor, I, Richard J. Morris, a Citizen of the United States residing at 15987 Island View Road, Prior Lake, Minnesota 55372, hereby declare that:

1. I believe I am the original, first and sole inventor of the subject matter described and claimed in patent number 6,357,193 granted March 19, 2002 and for which a reissue patent is sought on the invention entitled ROOF BATTEN, the specification of which was filed on March 19, 2004 as Application Number 10/805,686 and amended on March 19, 2004.
2. I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

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3. I acknowledge the duty to disclose information material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

4. I believe:

a. U.S. Patent No. 6,357,193 to be wholly or partly inoperative by reason of a defective specification. In one instance of a defective specification, claim 2 recites "the second ply includes a multiplicity of cross plies extending between the first plies,"

i. Claim 1, from which claim 2 directly depends, recites "a generally planar first ply and a second ply,"

ii. Hence, claim 2 may be construed to be indefinite because it is impossible for a multiplicity of cross plies to extend between a single first ply, as recited in claim 1.

b. U.S. Patent No. 6,357,193 to be wholly or partly inoperative by reason of the patentee claiming more or less than the patentee had a right to claim in the patent.

i. In one instance of claiming more or less than the patentee had a right to claim in the patent, the material of which first and second ply comprise is not recited in a claim depending from claim 1.

ii. In another instance of claiming more or less than the patentee had a right to claim in the patent, the orientation of the cross portions with respect to the first ply are not recited.

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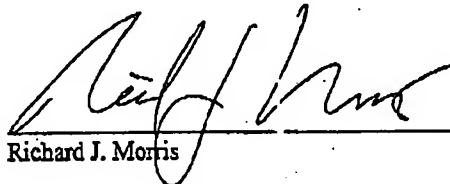


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5. All errors being corrected in the present reissue application up to the filing of this declaration arose without any deceptive intention on my part.

6. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 6-28-04

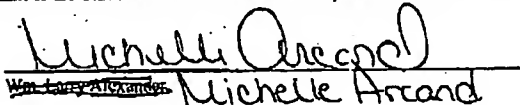

Richard J. Morris

Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 703 872-9906 on the date shown below.

8-25-04
Date


~~Michelle Arcand~~ Michelle Arcand

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